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#13

TO: KRISTA ZELE

FAX NUMBER 703-746-5919

ATTORNEY DOCKET PHA 23,780A

SERIAL NO. 09/882,080

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APR 19 2004

Special Program Unit
Group 2700

FROM: Russell Gross, Reg. No. 40,007

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510

TELEPHONE: 914-333-9631

MESSAGE:

SUPPLEMENTAL DECLARATION OF Russell Gross UNDER 1156 O.G. 53

I certify that this document consisting of 3 pages (including this cover sheet) is being transmitted via telecopier to the United States Patent and Trademark Office at the telephone number set forth above on 19 April 2004

Elissa De Lucca
Facsimile Operator

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

DAVID W. CUCCIA

PHA 23,280A

Serial No. 09/882,080

Group Art Unit 2614

Filed: June 15, 2001

Examiner Brian P. Yenke

INSTANT REPLAY OF DIGITAL VIDEO OPTIMIZED USING NON MPEG
FRAME TAGS

Mail Stop Petitions
Assistant Commissioner for Patents
Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION OF Russell Gross
UNDER 1156 O.G. 53

Ms:

In follow up with the telephone conversation with
the Examiner on April 16, 2004, the undersigned Russell
Gross, declares and says that:

1. In December of 2002, I was the attorney of
record for the above-mentioned application and our office
was still located at 580 White Plains Road, Tarrytown, New
York.
2. We never received the Office Action dated
December 3, 2002, at our Office in Tarrytown.
3. In May of 2003, we informed the United States
Patent Office of our change of address to Briarcliff Manor.
4. Therefore, our change of address did not effect
our non-receipt of the Office Action since our Office was
still located in Tarrytown at the time it should have been

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1

mailed.

5. The docketing system used at the Tarrytown Office is the same one used in the Briarcliff office. Therefore, the docketing records that were previously provided in support of this petition applies to the Tarrytown Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statement and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Dated

4/19/04



Russell Gross
Reg. 40,007

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